

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:20-cv-00206-RJC**

SHANETTE ROGERS,)	
)	
Plaintiff,)	
)	
v.)	
)	<u>ORDER</u>
KILOLO KIJAKAZI,)	
Acting Commissioner of)	
Social Security Administration,)	
)	
Defendant.)	
)	

THIS MATTER is before the Court on the Parties' Stipulation for an Award of Attorney's Fees Under the Equal Access to Justice Act ("EAJA"), 28 U.S.C. § 2412. (Doc. No. 35). Having reviewed the Motion, the Court determines that, pursuant to the parties' stipulation, Plaintiff should be awarded attorney fees under EAJA, 28 U.S.C. § 2412(d), in the amount of \$19,750.00, as well as costs for filing in the Western District of North Carolina in the amount of \$402.00, costs for filing in the Fourth Circuit in the amount \$505.00, and expenses in the amount of \$247.69.

IT IS, THEREFORE, ORDERED that the Parties' Stipulation for an Award of Attorney's Fees Under the Equal Access to Justice Act, (Doc. No. 35), is **GRANTED**. The Court will award attorney fees in the amount of \$19,750.00, as well as costs for filing in the Western District of North Carolina in the amount of \$402.00, costs for filing in the Fourth Circuit in the amount \$505.00, and expenses in the amount of \$247.69. Pursuant to *Astrue v. Ratliff*, 560 U.S. 586 (2010), the fee award will first be subject to offset of any debt Plaintiff may owe to the United States. The Commissioner will determine whether Plaintiff owes a debt to the United States. If so, that debt will be satisfied first, and if any funds remain, they will be made payable to Plaintiff and

mailed to Plaintiff's counsel. If the United States Department of the Treasury reports to the Commissioner that the Plaintiff does not owe any debt, the Government will exercise its discretion and honor an assignment of EAJA fees and pay those fees directly to Plaintiff's counsel. No additional petition pursuant to 28 U.S.C. § 2412(d) shall be filed.

SO ORDERED.

Signed: September 30, 2023



Robert J. Conrad, Jr.
United States District Judge
